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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/602,803
Filing Date	March 30, 2000
First Named Inventor	Edward A. Hubbard
Art Unit	2127
Examiner Name	Nilesh R. Shah
Attorney Docket Number	40988-P001P4

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
<b>Remarks</b> Request for Reinstatement of Appeal Supplemental Appeal Brief Petition for Extension of Time - One Month Check in the amount of \$60.00		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Winstead Sechrest & Minick P.C.		
Signature	<i>Richard F. Frankeny</i>		
Printed name	Richard F. Frankeny		
Date	August 26, 2005	Reg. No.	47,573

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Beatrice Zepeda</i>		
Typed or printed name	Beatrice Zepeda	Date	August 26, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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40988-P001P4

PATENT

- 1 -

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	Before the Examiner:
Edward A. Hubbard	:	Nilesh R Shah
Serial No.: 09/602,803	:	Group Art Unit: 2127
Filed: March 30, 2000	:	
Title: DATA SHARING AND FILE	:	United Devices, Inc.
DISTRIBUTION METHOD AND	:	12675 Research, Bldg A
ASSOCIATED DISTRIBUTED	:	Austin, Texas 78759
PROCESSING SYSTEM	:	

**REQUEST FOR REINSTATEMENT OF APPEAL**

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action having a mailing date of April 29, 2005 and having a three-month shortened statutory period extended one month with enclosed fee for response set to expire on August 29, 2005, Applicants respectfully request reinstatement of the Appeal based on a Supplemental Appeal Brief is filed herewith.

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**CERTIFICATION UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 26, 2005.

Beatrice Zepeda  
Signature

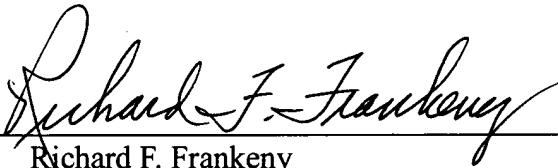
Beatrice Zepeda  
(Printed name of person certifying)

The Applicant had a telephone interview with the Examiner on August 24, 2005 wherein the Examiner agreed that making the Office Action dated April 29, 2005 Final was premature. Therefore, the Office Action date April 29, 2005 is Non-Final.

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.

Attorneys for Applicants

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